

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DOMINIC SANFORD,

Plaintiff,

v.

UNKNOWN MULLINS, et al.,

Defendants.

Case No. 1:16-cv-1431

HONORABLE PAUL L. MALONEY

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ORDER ADOPTING REPORT AND RECOMMENDATION

This is a prisoner civil rights action filed pursuant to 42 U.S.C. § 1983. In September 2020, the case was remanded from the Sixth Circuit Court of Appeal to proceed on Plaintiff's claims against defendants Lloyd Thurlby and Andrew Caffiero. Defendant Thurlby is deceased. Defendant Andrew Caffiero filed a motion for summary judgment. The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on January 24, 2022, recommending that this Court grant Caffiero's motion, dismiss the claims against Thurlby, and enter judgment. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 104) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that the Motion for Summary Judgment filed by Defendant Andrew Caffiero (ECF No. 102) is GRANTED.

IT IS FURTHER ORDERED that the claims against Defendant Lloyd Thurlby are DISMISSED.

IT IS FURTHER ORDERED that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith. See *McGore v. Wigglesworth*, 114 F.3d 601, 610-11 (6th Cir. 1997), overruled on other grounds by *Jones v. Bock*, 549 U.S. 199, 206, 211-12 (2007).

A Judgment will be entered consistent with this Order.

Dated: February 28, 2022

/s/ Paul L. Maloney
Paul L. Maloney
United States District Judge